REMARKS

This responds to the Office Action mailed on January 13, 2005.

Claims 1-2, 11, 20, 22-23, 32, 41, 64, 68, 78, 84 and 91 are amended, claims 3, 6-10, 14-18, 21, 24, 27-31, 35-39, 42-63, 65-67, 69-77, 79-90 and 93-94 are canceled, and no claims are added; as a result, claims 1-2, 4-5, 11-13, 19-20, 22-23, 25-26, 32-34, 40-41, 64, 68, 78, and 91-92 remain pending in this application. Amendments to claims 68, 78 and 91 are to correct claim dependencies and are not in response to an art-based rejection.

§102 Rejection of the Claims

Claims 1-7, 9, 18-28, 30, 39-49, 51, 60-63 and 65 were rejected under 35 USC § 102(b) as being anticipated by Clark (U.S. Patent No. 5,297,150). Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, "[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). Applicant respectfully submits that Clark does not anticipate the claims as amended because the claims contain elements not found in Clark.

Claims 1 and 22, as amended, recite indicating a "cross reference in the code browser, the BLAST viewer and the program slice diagram." As an initial matter, Clark does not disclose anything related to a BLAST viewer.

Further, Clark does not disclose cross-referencing between a code browser, a BLAST viewer, and a program slice diagram. The Office Action of March 1, 2004 argues with respect to now canceled claim 21 that Clark discloses cross-referencing in FIG. 6, at column 5, lines 9-16 and at column 6, lines 38-45. Applicant respectfully disagrees with this interpretation of Clark.

Amendment and Response Filed With RCE
Serial No.: 09/781,638
Filed: February 12, 2001
Title: INTEGRATED INTERACTIVE SOFTWARE VISUALIZATION ENVIRONMENT

Page 9 of 12
SLWK 900.174US1

Clark makes no reference to cross-referencing, neither in the sections cited in the Office Action or in any other portion of the reference. FIG. 6 merely shows information about a directed graph in three windows, it does not cross reference between the views. Clark at column 5, lines 9-16 mention that rules may be extracted from the code listing, but makes no reference regarding cross-referencing to the code listing or any other view. Clark at column 6, lines 38-45 mentions that a critical path in a directed graph may be highlighted. Again, the cited section makes no reference to cross-referencing to the code listing or any other view. As a result, Clark does not disclose cross-referencing between a code browser, a BLAST view, and a program slice diagram.

For the reasons discussed above, Clark does not teach each and every element of Applicant's claims 1 and 22. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 1 and 22.

Claims 2, 4-5, 19-20 depend either directly or indirectly from claim 1, and claims 23, 25-26 and 40-41 depend either directly or indirectly from claim 22. These dependent claims inherit the elements of the respective base claims and add further patentable distinctions. They are therefore not anticipated by Clark for at least the reasons discussed above with respect to claims 1 and 22. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 2, 4-5, 19-20.

Additionally, claims 3, 6-7, 9, 18, 21, 24, 27-28, 30, 39, 42-49, 51, 60-63 and 65 have been canceled and are therefore not discussed in this response. Applicant believes the claims to be patentable and reserves the right to reintroduce the claims in a continuing application.

§*103 Rejection of the Claims*

Claims 10, 15-16, 31, 36-37, 52 and 57-58 were rejected under 35 USC § 103(a) as being unpatentable over Clark and Official Notice taken by the Examiner. In order to expedite prosecution, Applicant has canceled claims 10, 15-16, 31, 36-37, 52 and 57-58. Applicant believes the claims are patentable, and reserves the right to reintroduce the claims in a continuing application.

Claims 8, 11, 17, 29, 32, 38, 50, 53, 59, 64, 69 and 70-71 were rejected under 35 USC §

103(a) as being unpatentable over Clark in view of Van Dyke (U.S. Patent No. 5,175,856). In

order for the Examiner to establish a *prima facie* case of obviousness, three base criteria must be

met. First, there must be some suggestion or motivation, either in the references themselves or in

the knowledge generally available to one of ordinary skill in the art, to modify the reference or to

combine reference teachings. Second, there must be a reasonable expectation of success.

Finally, the prior art reference (or references when combined) must teach or suggest all the claim

limitations. The teaching or suggestion to make the claimed combination and the reasonable

expectation of success must both be found in the prior art, and not based on applicant's

disclosure. *M.P.E.P.* § 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.

1991)). Applicant respectfully submits that a prima facie case of obviousness does not exist with

respect to the claims as amended because the claims contain elements not found in the cited

references.

For example, claims 11 and 32 as amended each recite "displaying a template viewer,

said template viewer operable to receive semantic information." Claim 64 also recites a template

viewer. Applicant has reviewed Clark and Van Dyke and can find no teaching or disclosure of a

template viewer, and further can find no teaching or disclosure of a template viewer that is

operable to receive semantic information. As a result, claims 11, 32 and 64 each contain

elements not found in the cited references. Therefore the cited references do not present a prima

facie case of obviousness. Applicant respectfully requests reconsideration and the withdrawal of

the rejection of claims 11, 32 and 64.

Additionally, claims 8, 17, 29, 38, 50, 53, 59 and 69-71 have been canceled and are

therefore not discussed in this response. Applicant believes the claims to be patentable and

reserves the right to reintroduce the claims in a continuing application.

Claims 12-14, 33-35, 54-56, 67-68 and 72-82 were rejected under 35 USC § 103(a) as

being unpatentable over Clark in view of Van Dyke and Sato (U.S. Patent No. 5,819,094).

Amendment and Response Filed With RCE
Serial No.: 09/781,638
Filed: February 12, 2001
Title: INTEGRATED INTERACTIVE SOFTWARE VISUALIZATION ENVIRONMENT

Page 11 of 12
SLWK 900.174US1

Applicant respectfully submits that the claims contain elements not found in Clark, Van Dyke and Sato.

For example, each of claims 12-13, 33-34 and 68 recite cross referencing to source code or data. The Office Action of March 1, 2004 admits that neither Clark nor Van Dyke teach or disclose such a cross reference. However, the Office Action goes on to state that Sato does teach a cross reference to source code. Sato may teach a cross reference between source code and an execution history graph, however Sato does not teach a cross reference between source code and views such as a BLAST view or a program slice diagram. As a result, Sato fails to teach a cross reference as recited in Applicant's claims 12-13, 33-34 and 68. Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claim 78 recites that nodes are positioned according to a data flow pattern. The Office Action asserts that Clark discloses data flow dependencies. Applicant respectfully disagrees and reasserts Applicant's previous argument that the flow in Clark is a control flow, not a data flow reflecting data dependencies. A control flow illustrates the paths of execution control. In contrast a data flow indicates which variables are dependent on the values of other variables. Clark does not teach or disclose a data flow pattern. Additionally, none of the other cited references disclose positioning nodes according to a data flow pattern. Applicant respectfully submits that claim 78 is non-obvious with respect to the cited references and requests withdrawal of the rejection of claim 78.

Additionally, claims 14, 35, 54-56, 67 and 72-77, and 79-82 have been canceled and are therefore not discussed in this response. Applicant believes the claims to be patentable and reserves the right to reintroduce the claims in a continuing application.

Claims 83-94 were rejected under 35 USC § 103(a) as being unpatentable over Clark in view of Van Dyke, Sato and Palmon (U.S. Patent No. 5,740,421). Applicant respectfully submits that the claims contain elements not found in the cited references. Claims 91 and 92 recite language regarding the template viewer and templates. As discussed above, neither Clark nor Van Dyke disclose a template viewer. In addition, Applicant has searched Sato and Palmon

and can find no teaching or disclosure of a template view or the use of templates. As a result, the cited references fail to teach or disclose each element of claims 91 – 92 and a prima facie case of obviousness is not present. Applicant respectfully requests the withdrawal of the rejection of claims 91 and 92.

Additionally, claims 83-90 and 93-94 have been canceled and are therefore not discussed in this response. Applicant believes the claims to be patentable and reserves the right to reintroduce the claims in a continuing application.

CONCLUSION

Applicant respectfully submits that the pending claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6954 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this __23rd__ day of June, 2005.

RODNEY L. LACY
_____   _____
Name   Signature